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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,631	07/30/2003	Kouichi Anno	501.42963X00	9122

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ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

EXAMINER	
TON, MINH TOAN T	

ART UNIT	PAPER NUMBER
2871	

NOTIFICATION DATE	DELIVERY MODE
06/19/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

officeaction@antonelli.com
dprater@antonelli.com
tsampson@antonelli.com

Office Action Summary	Application No. 10/629,631	Applicant(s) ANNO ET AL.	
	Examiner Toan Ton	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/19/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 8-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 8-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 8-9 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Urabe et al (US 6476889).

Urabe discloses a common transfective LCD device comprising (see at least Figure 3]): a substrate, a first pixel electrode formed of a light transmissive conductive layer formed in one optical transmissive region (e.g., 115) which is formed by partitioning the pixel region; a second pixel electrode formed of a non-light transmissive conductive film is formed on the remainder of the partitioned pixel reflective region (e.g. 8); the first pixel electrode positioned as a lower layer with respect to an insulation film (e.g., 114) and a hole (e.g., 112) is formed in the insulation film in a region corresponding to the light transmissive region so as to expose the first pixel electrode, and the second pixel electrode is formed on a light reflective region of the insulation film; at least a portion corresponding to a side wall surface of the hole formed in the insulation film is arranged in relation to a light shielding film (e.g., BM).

Urabe discloses a transfective LCD device comprising a light shielding means (e.g., BM) disposed on one of a pair of substrates and at least arranged in relation/at least overlapping

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with at least a portion corresponding to a side wall surface of the hole (e.g. 112) formed in the insulation film (e.g., 114) (see at least Figure 3).

Urabe discloses the contact hole (e.g., 112) formed close to the switching element TFT (e.g., 108) (see at least Figure 3).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 10-11 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Urabe et al as applied to claims 1, 3, 8-9 and 12.

Materials such as metal are common and known in the art for bus lines, light shielding means. Forming the shielding means and the bus (gate/data) lines of the same material is also common and known in the art for advantages such as cost-reduction. Therefore, it would have been at least obvious to one of ordinary skill in the art to employ the light shielding means and the gate lines made of the same material, as common and known in the art, for advantages such as cost-reduction.

The light shielding means disposed one of the pair of substrates is common and known as at least art-recognized functionally equivalent (i.e., not patentably distinct to each other) to the light shielding means disposed on another of the pair of substrates. Further, disposing below the

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second pixel electrode (i.e., on the TFT substrate) would further achieve advantages such as protecting the TFT from damaging. Therefore, it would have been at least obvious to one of ordinary skill in the art to form the light shielding means adjacent to the switching element (TFT) (i.e., below the second pixel electrode) for achieving further advantages such as protecting the TFT from damaging

Response to Arguments

3. Applicant's arguments filed 03/19/07 have been fully considered but they are not persuasive.

Applicant appears to contend that the light shielding film of the present invention is disposed on the same substrate as the pixel electrode or the insulation film, as shown at least in Figure 2 of the present invention. Thus Urabe (the prior art of record used in the rejection) fails to disclose limitations such as 'at least a portion corresponding to a side wall surface of the hole formed in the insulation film is arranged in relation to a light shielding film'.

However, it is noted that the features upon which applicant relies (e.g., the light shielding film IL of the present invention is disposed on the same substrate as the pixel electrode or the insulation film, as shown in at least Figure 2) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims; 'arranged in relation to' can be broadly interpreted to have *any* particular relationship. As presently claimed, Urabe discloses 'at least a portion corresponding to a side wall surface of the hole formed in the insulation film is arranged in relation to a light shielding film'.

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Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan Ton whose telephone number is (571) 272-2303

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 06, 2007 .


TOAN TON
PRIMARY PATENT EXAMINER